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## F A X T R A N S M I T T A L

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Date	Total pages	Client/matter number
August 10, 2004	2	086112-066128

To	Company	Fax number	Telephone
Commissioner for Patents	U.S. Patent and Trademark Office	703-872-9306	

From	Fax number	Telephone
Patrice A. King (Reg. No. 44,833)	973.992.4643	973.994.7896

## Message:

Re: Application No. : 09/705,447  
Inventor : Nicolae Miron  
Filing Date : 11/03/2000  
Title : BAND PASS INTERFEROMETER WITH TUNING CAPABILITIES  
Attorney Docket No. : 2965/MIRON/US  
Confirmation No. : 7879  
Examiner : Michael A. Lyons  
Art Unit : 2877

Submitted herewith is the following item for filing in the above-identified application:

1. This Fax Transmittal bearing Certificate of Transmission (1 page);
2. Notice of Appeal (1 page);

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at fax number (703) 872-9306 on the date indicated below.

Yvette Alvarez-Perez

Date 8/10/04

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  2965/MIRON/US	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		In re Application of Miron Nicolae	
Signature _____		Application Number 09/705,447	
Typed or printed name <u>Yvette Alvarez-Perez</u>		Filed 11/03/2000	
		For <b>BAND PASS INTERFEROMETER WITH TUNING CAPABILITIES</b>	
		Art Unit 2877	
		Examiner Lyons, Michael A	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 165.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0923. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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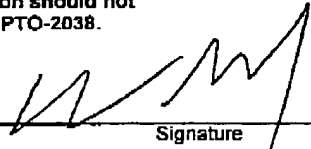
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95)

☒ attorney or agent of record. Registration number 24,435

☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

  
 Signature  
 Richard I. Samuel  
 Typed or printed name  
 973.992.1990  
 Telephone number  
 August 10, 2004  
 Date

**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below".

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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